

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

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In re: : Case No. 20-51998-AMK
: :
GRANT THOMAS WILCOX, : Chapter 13
: :
: Judge Alan M. Koschik
Debtor. :
: :
-----X

**OBJECTION TO CONFIRMATION OF
SECOND AMENDED CHAPTER 13 PLAN**

Now comes Sara Butts f/k/a Sara Wilcox (“Butts”), by and through her undersigned counsel and hereby submits her Objection to Confirmation of Second Amended Chapter 13 Plan (the “Objection”). In support of her Objection, Butts states as follows:

1. The Debtor filed his Second Amended Chapter 13 Plan (Doc. No. 47) (the “Plan”) based upon the Chapter 13 Statement of Your Current Monthly Income and Calculation of Commitment Period (Doc. No. 1) (the “Means Test”) filed in this case. The Debtor claims in his Means Test that he has a household size of 5 consisting of himself, his girlfriend, and his girlfriend’s children. See Schedule J filed by the Debtor (Doc. No. 1). Upon questioning at his meeting of creditors, the Debtor disclosed that his girlfriend’s name is Jamie Carnahan.

2. Attached hereto as Exhibits A and B is public record information showing that Jamie Carnahan has not lived with the debtor since at least December 2020 and probably before

that. See Exhibits A and B attached hereto. Moreover, the Debtor sought to evict Jamie Carnahan from his home on August 20, 2020. See Exhibit C attached hereto.

3. Sara Butts believes, and therefore alleges that the Debtor's Means Test should contain a household size of one person which materially changes his disposable income and commitment period. The Debtor claims that his income is below the median income for a household of five: \$102,239.00. In fact, for a household of one, the median income for Portage County, Ohio is \$51,776.00. The Debtor in fact earns over median income. The Plan is predicated on the false Means Test and therefore cannot be confirmed.

4. Sara Butts has presented admissible evidence in the form of public record information showing that Jamie Carnahan no longer lives with the Debtor, and likely did not live with the Debtor on the Petition Date. The Debtor must present some independent evidence of his household size for the Means Test to rebut the admissible evidence attached to the Objection.

WHEREFORE, Sara Butts, f/k/a Sara Wilcox respectfully requests that the Court deny confirmation of the Debtor's Second Amended Plan, and grant any other and further relief that the Court deems just and proper.

Respectfully submitted,

/s/ Anthony J. DeGirolamo
Anthony J. DeGirolamo (0059265)
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Facsimile: 330-305-9713
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COUNSEL FOR SARA BUTTS
f/k/a SARA WILCOX

CERTIFICATE OF SERVICE

I hereby certify that on February 9, 2021, a copy of the foregoing Objection was electronically transmitted via the Court's CM/ECF system to those listed on the Court's Electronic Mail Notice list:

- Keith Rucinski efilings@ch13akron.com
- United States Trustee (Registered address)@usdoj.gov

/s/ Anthony J. DeGirolamo
Anthony J. DeGirolamo

The undersigned hereby certifies that a copy of the foregoing Objection was served regular U.S. Mail, postage prepaid, upon those listed below, this 9th day of February, 2021.

/s/ Anthony J. DeGirolamo
Anthony J. DeGirolamo

Grant T. Wilcox
9858 Green Drive
Winham, Ohio 44288

EXHIBIT A



Jamie Carnahan

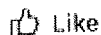
December 21, 2020 at 6:39 PM · 🌐

As many of you already know it's been four LONG years since my kids woke up on Christmas morning to both of their parents. This Christmas they will have not just me but BOTH parents under the same roof both Christmas and Christmas Eve. It's the best gift we could give our children. Both parents present in the moment, healthy, sober, and alive. It's been along journey since our divorce but I'm so happy that we can finally coparent and make things work for the kids sake. Since neither one of us have new families were able to come together for the kids, and this might be the last time this happens so Christmas is definitely going to be special for us this year after all. #Blessed #Ferrellsreunited #daddyscomingtotown #santascomingtoo #christmas2k20 🙏🙏



30

12 Comments



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Jamie Carnahan

December 23, 2020 at 11:52 PM · 🌐

This guy showed up tonight and surprised the kids. It's been along year so having us all together for Christmas makes my heart SOOO full. Somethings money just can't buy. Were reunited and it feels so good. Happy holidays everyone!!

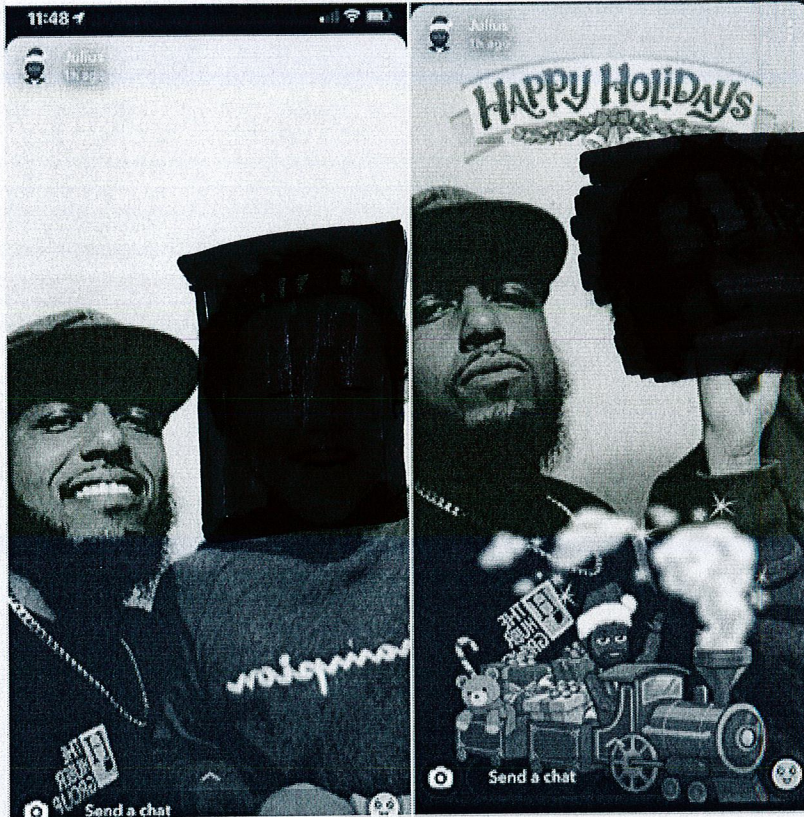


EXHIBIT B

16:40



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Case Type: Traffic - Austintown	Action: TRAFFIC CONTROL LIGHTS
Case Status: CLOSED	Status Date: 11/23/2020
File Date: 11/23/2020	Case Judge: HUNTER (ADMINISTRATIVE), SCOTT D
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Party Information

CARNAHAN, JAMIE L - DEFENDANT

Disposition

Disp Date

Address 901 MACARTHUR DR
GIRARD, OH 44420

Phone

Alias

Party Attorney

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EXHIBIT C

**203 West Main Street
Ravenna, Ohio 44266**

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